

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

v.

CALVIN SMITH,

Defendant.
-----X

ORDER

21 CR 802 (VB)

5/18/22 ✓

By letter dated May 17, 2022 (Doc. #28), defense counsel requests that certain revisions be made to the presentence investigation report ("PSR").

A revised PSR has been docketed (Doc. #29), which accurately reflects the revisions to the offense conduct section (specifically, paragraphs 10 and 11) requested by defense counsel at sentencing, and also contains a revised offense level calculation (paragraphs 19 through 33), based on the revisions to the offense conduct section and Court's rulings at sentencing.

The Court declines to revise the probation officer's Sentencing Recommendation, as requested by counsel. The recommendation was just that, a recommendation, which the Court declined to follow for the reasons set forth at length on the record. No further revisions are necessary.

Dated: May 18, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge